


11/24/02 #5/A

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PATENT TRADEMARK OFFICE

Docket No: 7529/1G148US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ali HEMMATI-BRIVANLOU and Curtis R. ALTMAN

Serial No.: 09/910,943 Art Unit: To be assigned

Confirmation No.: 3651

Filed: July 23, 2001 Examiner: To be assigned

For: ASSAYS AND MATERIALS FOR EMBRYONIC GENE EXPRESSION

PRELIMINARY AMENDMENT UNDER 37 C.F.R. 1.111

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

In accordance with Rule 111 of the Rules of Practice, please enter the following amendment and consider the accompanying remarks before substantively examining this application on the merits. The amendments are made in accordance with Rule 121 of the Rules of Practice. Accordingly, a clean copy of each amendment paragraph and of each pending claim (as amended) follows below. In

accordance with 37 C.F.R. § 1.121(b)(1)(iii) and § 1.121(c)(ii), another version of each amended paragraph and claim is also provided, on one or more separate pages at Exhibit Tab A, marked up to show all changes relative to the paragraph or claim as originally filed. The following items are also submitted herewith for this application:

- (1) An Information Disclosure Statement, including Form PTO-1449 and copies of the references cited therein;
- (2) A Response to Notice to File Missing Parts and Completion of Patent Application, including
- (3) a Declaration and Power of Attorney document executed by the named inventors for this application;
- (4) an Assignment document for recordation (also executed by the named inventors);
- (5) a check in payment of the estimated filing and recordation fees for this application, including the late payment surcharge set forth in 37 C.F.R. § 1.16(l); and
- (6) a Sequence Listing in paper and computer readable forms.

It is believed that no additional fees are required for these submission. However, should the U.S. Patent and Trademark Office determine that any fee is required or that any refund is due for this application, the Commissioner is hereby